

United States District Court

WESTERN DISTRICT OF NEW YORK

Citizens Against Casino Gambling
in Erie County
(Joel Rose and Robert Heffern,
as Co-Chairpersons), et al.,

v.

Philip H. Hogen, in his Official Capacity
as Chairman of the National Indian
Gaming Commission, et al.,

JUDGMENT IN A CIVIL CASE
CASE NUMBER: 07-CV-451

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came before the Court. The issues have been heard.

IT IS ORDERED AND ADJUDGED that the National Indian Gaming Commission Chairman's July 2, 2007 administrative decision approving the Seneca Nation of Indians Class III Gaming Ordinance is VACATED. Further, that defendants' motion to dismiss is granted in part and denied in part. Further, that plaintiffs' motion for summary judgment is granted in part and denied in part. Further, that plaintiffs motion to supplement the record is denied.

Date: July 8, 2008

RODNEY C. EARLY, CLERK

By: S/ Jane D. Kellogg
Deputy Clerk